

REMARKS/ARGUMENTS

Claims 1, 3-9, 11-15 and 17-22 are pending in the present application. Claims 1, 3, 5-8, 12-15, 17 and 19-22 have been amended, and Claims 2, 10, 16 and 23 have been cancelled, herewith. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 101

Claims 15-21 stand rejected under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. This rejection is respectfully traversed.

With respect to Claims 15-20, per MPEP 2106(IV)(B)(1)(a), a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory (see also *Lowry*, 32 F.3d at 1583-84, 32 USPQ2d at 1035). Applicants have amended Claim 15 to directly comply with the MPEP requirements, as thus Claims 15-20 are statutory under 35 USC 101.

With respect to Claim 21, the Examiner states that the claims are software alone and should be amended to indicate that the computer program product is stored on computer readable storage/recording medium. Applicants note that Claim 21 recites that the computer program product is in a data processing system and thus such claim recites a specific apparatus (data processing system). Therefore, such claim complies with 35 USC 101 as this is an apparatus claim.

Therefore the rejection of Claims 15-21 under 35 U.S.C. § 101 has been overcome.

II. 35 U.S.C. § 112, Second Paragraph

Claims 5, 6, 12, 13, 19 and 20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which applicants regard as the invention. This rejection is respectfully traversed.

The Examiner notes that dependent Claims 5 and 6 are not further limiting of Claim 4, as Claim 4 recites two different types of authentication information. Applicants have amended the claims to ensure they are in fact further limiting.

Therefore the rejection of Claims 5, 6, 12, 13, 19 and 20 under 35 U.S.C. § 112, second paragraph has been overcome.

III. **35 U.S.C. § 102, Anticipation**

Claims 1-5, 7-12, 14-19 and 21-26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Jin et al., U.S. Patent 6,311,275. This rejection is respectfully traversed.

For a prior art reference to anticipate in terms of 35 U.S.C. 102, *every element* of the claimed invention must be *identically shown* in a single reference. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990) (emphasis added by Applicants). Applicants will now show that every element recited in Claims 1-5, 7-12, 14-19 and 21-26 is not identically shown in a single reference, and thus these claims are not anticipated by the cited Jin reference.

With respect to Claim 1, it is urged that the cited reference does not teach the claimed feature of “responsive to the authentication information being authenticated, providing a privileged address to the client”. As can be seen, a *privileged* address is provided to the client responsive to the authentication information being authenticated. The cited reference does not teach any type of privileged address. In rejecting this aspect of Claim 1, the Examiner cites Jin’s teaching at col. 4, line 44 – col. 5, line 10 and col. 5, lines 22-24 as teaching this claimed feature. Applicants show that there, Jin states:

“As described above, the user initiates a session on the network 5 by launching a dial-up application on his or her subscriber PC 1. The dial-up application prompts the user for user-name and password information, and contacts the NAS 2. The NAS 2 prepares an access-request packet containing the user-specified information, as well as information about the NAS client 2 itself. Instead of being delivered directly to the AAA Server 4, however, the access-request packet is first intercepted by the SSG Server 3, at step 200. Since the access-request packet contains username and password information, receipt of the access-request packet by the SSG Server 3 supplants the need for requiring the user to supply this information to the SSG Server 3 using a separate dashboard application. However, as described above, the SSG Server 3 still needs the user IP address to complete the log-on procedure. The user IP address, however, has not yet been assigned, and extra steps must be taken before the SSG Server 3 can officially log the user on.

The SSG Server 3 forwards the access-request packet to the AAA Server 4 at step 202. The AAA Server 4 first authenticates the user by checking the data attributes in the access-request packet against its account database. The AAA Server 4 then responds to the access-request by issuing an access-reply packet

back to the SSG Server 3 at step 204. If the user authentication check is successful, then the AAA Server 4 may assign an IP address to the user and include this IP address in the access-reply packet. The SSG server 3 then checks for an IP address in the access-reply packet. If the SSG Server 3 finds an IP address, then the SSG Server 3 can log the user on with the IP address provided by the AAA Server 4, and then forward the access-reply packet on to the NAS 2 immediately at step 206. Once the access-reply packet is received by the NAS 2, it may then log the user on as well, and the user session can begin.” (col. 4, line 44 – col. 5, line 10)

and

“Upon receipt of the access-reply packet authorizing the user to access the network, **the NAS 2 assigns a genuine IP address to the user and logs the user on.**” (col. 5, lines 22-24) (emphasis added by Applicants)

As can be seen, this passage describes the assignment of a *genuine* IP address whereas in contrast Claim 1 recites providing a *privileged* address to the client. The term ‘genuine’ is not the same as the term ‘privileged’, and therefore every element recited in Claim 1 is not *identically shown in a single reference*. Accordingly, Claim 1 is not anticipated by the cited reference.

In any event, Applicants have amended Claim 1 to include the features previously recited in Claim 2 (which is thus being cancelled herewith without prejudice or disclaimer). As amended, Claim 1 recites:

“responsive to the authentication information being authenticated, providing a privileged address to the client; and
responsive to the authentication information not being authenticated, providing a standard address to the client.”

As can be seen, a privileged address is provided to the client responsive to authentication information *being authenticated*, and a standard address is provided to the client responsive to the authentication information *not being authenticated*. In rejecting Claim 2 (whose features are now a part of amended Claim 1), which pertains to the ‘not being authenticated’ scenario, the Examiner cites Jin’s teaching at col. 5, lines 11-21 as teaching this ‘not being authenticated’ scenario. Applicants urge that there, and to the contrary, Jin states:

“If the AAA Server 4 authorizes the user but does not assign an IP address, then the SSG Server 3 can log the user on with a dummy temporary IP address. It then assigns the user an identification number that it inserts into the access-reply packet before forwarding the access-reply packet to the NAS 2 at step 206. The identification number is written as a special attribute in the access-reply packet, called a “class attribute” in the RADIUS protocol. The class attribute is read and stored by the NAS 2 and echoed back unchanged in subsequent packets. The temporary IP address can be used as an identification number.” (emphasis added by Applicants)

As can be seen, this passage does not describe any type of scenario where authentication information has *not* been authenticated, but rather teaches just the opposite – *the user has in fact been authorized*. Thus, it is shown that there are additional claimed features not identically shown in a single reference – and in particular the cited reference does not teach the claimed feature of “responsive to the authentication information not being authenticated, providing a standard address to the client”.

Therefore, as every element recited in Claim 1 is not identically shown in a single reference, and in particular the reference does not teach (1) a privileged address, or (2) responsive to the authentication information *not being authenticated*, providing a standard address to the client, it is shown that Claim 1 is not anticipated by the cited reference.

Applicants initially traverse the rejection of Claims 3-5 for reasons given above with respect to Claim 1 (of which Claims 3-5 depend upon).

Further with respect to Claim 3, Applicants have amended such claim to include features similar to those recited in amended Claim 8, and Applicants further traverse the rejection of Claim 3 for similar reasons to those given below with respect to Claim 8.

With respect to Claim 7, such claim recites:

“A method in a data processing system for assigning addresses to clients, the method comprising:

- receiving a request from a client for an address;
- determining whether authentication information is present in the request;
- performing a verification process using the authentication information if the authentication information is presenting the request;
- determining whether the authentication information is verified;

responsive to the authentication information being verified, providing an address to the client; and
responsive to the authentication information not being verified, denying the request.”

As can be seen, Claim 7 contemplates a situation where the authentication information has not been verified, and in particular this claim recites that the request for an address is denied responsive to the authentication information not being verified. In rejecting Claim 7, the Examiner cites the identical Jin passage that was used in rejecting Claim 1 (col. 4, line 44 – col. 5, line 10 and col. 5, lines 22-24, which is reproduced above in the Claim 1 discussion). It is urged that this passage does not describe any scenario where authentication information *is not* verified, instead merely describing things that occur when a user *is* authorized. For example, this cited passage states:

“If the user authentication check is successful, then the AAA Server 4 may assign an IP address to the user and include this IP address in the access-reply packet.”

There is no discussion of what occurs if the authentication check is unsuccessful. Thus, as every element recited in Claim 7 is not identically shown in a single reference – and in particular there is no teaching of the claimed feature of “responsive to the authentication information not being verified, denying the request” - it is urged that Claim 7 has been erroneously rejected under 35 USC 102 (b).

In any event, Applicants have amended Claim 7 to further differentiate the claimed features recited therein from the teachings of the cited Jin reference. In particular, Claim 7 has been amended in accordance with the Specification description at page 12, line 24 – page 13, line 3 and page 14, lines 8-27. As amended, Claim 7 now includes two different occurrences of verification/authentication – a verification being performed as a part of providing an address to a client in response to a request for an address by such client, and an authentication being performed at the client as a part of receiving the requested address in an offer. It is respectfully submitted that the Jin cited reference does not contemplate this additional security feature (Specification page 17, lines 8-13), and thus it is further urged that Claim 7 is not anticipated by the cited reference as every element recited in such claim is not identically shown in a single reference.

With respect to Claim 8, Applicants initially traverse for similar reasons to those given above with respect to the missing claimed feature of a privileged address as described above with respect to Claim 1. In addition, Applicants have amended such claim in accordance with the Specification description at page 11, line 1 – page 12, line 5 and page 15, line 20 – page 16, line 3. It is urged that the

cited reference does not teach or otherwise contemplate a static IP address being assigned to a client. Thus, it is urged that Claim 8 is not anticipated by the cited reference, as the cited reference does not teach (1) a privileged address, or (2) a static IP address being assigned to a client.

Applicants traverse the rejection of Claims 9 and 11-13 for reasons given above with respect to Claim 8 (of which Claims 9 and 11-13 depend upon).

Applicants traverse the rejection of Claim 14 for similar reasons to those given above with respect to Claim 7.

Applicants traverse the rejection of Claims 15 and 17-19 for similar reasons to those given above with respect to Claim 1.

Applicants further traverse the rejection of Claim 17 for similar reasons to the further reasons given above with respect to Claim 3.

Applicants traverse the rejection of Claim 21 for similar reasons to those given above with respect to Claim 7.

Applicants traverse the rejection of Claim 22 for similar reasons to those given above with respect to Claim 8.

Claim 23 has been cancelled herewith without prejudice or disclaimer.

It is believed that the inclusion of Claims 24-26 in the present rejection was a typographical error, as such claims do not exist in the present application.

Therefore, the rejection of Claims 1-5, 7-12, 14-19 and 21-26 under 35 U.S.C. § 102(b) has been overcome.

IV. 35 U.S.C. § 103, Obviousness

Claims 6, 13 and 20 stand rejected under 35 U.S.C. § 103 as being unpatentable over Jin et al., U.S. Patent 6,311,275. This rejection is respectfully traversed for similar reasons to those given above with respect to independent Claims 1, 8 and 15, respectively.

Therefore, the rejection of Claims 6, 13 and 20 under 35 U.S.C. § 103 has been overcome.

V. Conclusion

It is respectfully urged that the subject application is patentable over the cited reference and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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